

BILL NO. **83-10**
AS AMENDED

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 83-10 (AS AMENDED)

Introduced by Council Member Risacher

Legislative Day No. 83-6 Date February 15, 1983

AN EMERGENCY ACT to repeal and re-enact with amendments, Table 1, heading, Principal Permitted Uses For Specific Zoning Districts, Natural Resources, of Section 25-6.2, heading, Principal Permitted Uses By Districts; to repeal Subsections (a) (3) (F) and (c) (3) (E) of Section 25-6.3, heading, Requirements For Specific Districts, and to add new Subsection (E) to Section 25-8.3, (e), heading, Standards For Specific Special Exceptions, all of Article II, heading, Zoning Code, of Chapter 25, heading, Zoning, of the Harford County Code, as amended; to provide that mineral extraction and processing uses be special exceptions in the Agricultural and R1 Urban Residential Zoning Districts; to delete certain specific regulations for mineral extraction and processing; and to further provide that mineral extraction and processing activities be subject to special exception requirements and/or previously established conditional use requirements.

By the Council, February 15, 1983

Introduced, read first time, ordered posted and public hearing scheduled

on: March 15, 1983

at: 6:30 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 15, 1983 and concluded on March 15, 1983

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. *Be It Enacted By The County Council of Harford County,*
2 *Maryland,* that Table 1., heading, Principal Permitted Uses For
3 Specific Zoning Districts; Natural Resources, of Section 25-6.2,
4 heading, Principal Permitted Uses By Districts, be, and it is
5 hereby repealed and re-enacted with amendments and that
6 Subsections (a)(3)(F) and (c)(3)(E) of Section 25-6.3, heading,
7 Requirements For Specific Districts, be, and are hereby repealed
8 and that new Subsection (E), be, and it is hereby added to
9 Section 25-8.3, (e), heading, Standards For Specific Special
10 Exceptions, all of Article II, heading, Zoning Code, of Chapter 25,
11 heading, Zoning, of the Harford County Code, as amended, all to
12 read as follows:

13 Chapter 25. Zoning.

14 Article II. Zoning Code

15 Section 25-6.2. Principal Permitted Uses By Districts.

16 Table 1. Principal Permitted Uses For Specific Zoning
17 Districts. (Natural Resources). (Attached)

18 Section 25-6.3. Requirements For Specific Districts.

19 (a) AG - Agricultural District.

20 (3) Specific Regulations. The following uses are per-
21 mitted subject to the additional requirements below:

22 [(F) Extraction Activities, provided that:

23 (i) Upon filing an application with the State
24 Department of Natural Resources, the applicant shall file a copy
25 of the application with the Department of Planning and Zoning.

26 (ii) Extraction activities shall be screened
27 from adjacent residential lots and public roads pursuant to
28 Section 25-5.8(c) (Bufferyard Use and Requirements) or by a
29 planted earth berm not less than six (6) feet in height and
30 fifteen (15) feet in width.]

31 (c) R1, R2, R3, and R4. Urban Residential District.

32 (3) Specific Regulations. The following uses are

1 permitted subject to the additional requirement below:

2 [(E) Extraction activities in the R1 District
3 provided that:

4 (i) Upon filing an application with the State
5 Department of Natural Resources, the applicant shall file a copy
6 of the application with the Department of Planning and Zoning.

7 (ii) Extraction activities shall be screened from
8 adjacent residential lots and public roads pursuant to Section
9 25-5.8(c) (Bufferyard Use and Requirements) or by a planted
10 earth berm not less than six (6) feet in height and fifteen (15)
11 feet in width.]

12 Section 25-8.3. Standards For Specific Special Exceptions.
13 The Special Exceptions enumerated herein in addition to other
14 conditions as may be imposed by the Board shall comply with the
15 following requirements:

16 (e) Natural Resource Uses.

17 (1) Mineral Extraction and Processing. These uses may
18 be granted in AG*, RR, R1*, R2, R3, R4, VR, VB, B1, B2, and B3
19 Districts provided that:

20 (E) ANY USE, AUTHORIZED AS A CONDITIONAL USE
21 PURSUANT TO BOARD OF APPEALS APPROVAL PRIOR TO THE EFFECTIVE
22 DATE OF 82-14, AS AMENDED, SHALL COMPLY WITH THE CONDITIONS
23 ESTABLISHED THEREUNDER. ~~---THIS SECTION SHALL APPLY TO ANY USE~~
24 ~~PREVIOUSLY APPROVED PURSUANT TO 82-14, AS AMENDED. ---ANY~~
25 ~~MODIFICATION, CHANGE OR EXPANSION OF OPERATIONS UNDER SUCH~~
26 ~~APPROVAL SHALL BE SUBJECT TO THE BOARD OF APPEALS APPROVAL AS A~~
27 ~~SPECIAL EXCEPTION.~~ AS PREVIOUSLY ESTABLISHED. ANY USE AUTHORIZED
28 AFTER THE EFFECTIVE DATE OF 82-14, AS AMENDED, MAY PROCEED SUBJECT
29 TO THE CONDITIONS OF THIS SECTION. WHERE A CONDITIONAL USE OR
30 SPECIAL EXCEPTION HAS BEEN GRANTED, ANY MODIFICATION OR CHANGE OF
31 OPERATIONS AFFECTING THE CONDITIONS OR EXPANSION OF THE USE SHALL
32 BE SUBJECT TO APPROVAL BY THE BOARD OF APPEALS.

*Added to existing law.

1 Section 2. *And Be It Further Enacted*, that if any section,
2 clause, phrase, word, provision or particular application of this
3 Act is for any reason held invalid or unconstitutional by any
4 court of competent jurisdiction, such section, clause, phrase,
5 word, provision or particular application shall be deemed a
6 separate, distinct and independent provision or application and
7 such holding shall not affect the validity of the remaining
8 provision or subsequent application thereof.

9 ~~Section 3. --And Be It Further Enacted that this Act shall take~~
10 ~~effect sixty (60) calendar days from the date it becomes law.~~

11 SECTION 3. AND BE IT FURTHER ENACTED THAT THIS ACT IS HEREBY
12 DECLARED TO BE AN EMERGENCY ACT, NECESSARY FOR PROPER ADMINISTRATION
13 OF THE ZONING LAWS OF HARFORD COUNTY, MARYLAND, WHICH SHALL TAKE
14 EFFECT ON THE DATE IT BECOMES LAW.

15 EFFECTIVE: March 17, 1983
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TABLE 1. PRINCIPAL PERMITTED USES FOR SPECIFIC ZONING DISTRICTS

NATURAL RESOURCES

USE CLASSIFICATION		ZONING DISTRICTS													
		AG	RR	R1	R2	R3	R4	VR	VB	B1	B2	B3	C1	G1	ORI
3.	NATURAL RESOURCES														
4.	Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P
5.	Agricultural Products Processing or Agricultural Research Laboratories	P							P			P	P	P	P
6.	Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7.	Greenhouses and Nurseries, Commercial	P							P		P	P	P	P	
8.	Mineral Extraction and Processing	[P] SE	SE	[P] SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	
9.	Sawmill	SE										SE	P	P	
10.	Wildlife Refuge	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11.															
12.															
13.															
14.															
15.															

16. P Permitted subject to applicable Code Requirements
 17. SD Permitted subject to Special Development Regulations, pursuant to Section 25-7
 18. SE Permitted subject to Special Exception Regulations, pursuant to Section 25-8
 19. I Permitted subject to Temporary Use Regulations, pursuant to Section 25-5.7
 20. A blank cell indicates that the use is not permitted

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AS AMENDED

BY THE COUNCIL

BILL NO. 83-10 (as amended)

Read the third time.

Passed LSD 83-9 (March 15, 1983) (with amendments)

Failed of Passage _____

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 16th day of March, 1983
at 3:00 o'clock P.M.

Angela Markowski, Secretary



APPROVED:

BY THE EXECUTIVE

County Executive

Date 3-17-83

BY THE COUNCIL

This Bill (No. 83-10 (as amended), having been approved by
the Executive and returned to the Council, becomes law on
March 17, 1983.

Angela Markowski, Secretary

EFFECTIVE DATE: March 17, 1983

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